

# APPENDIX

APPENDIX

[SEAL]

In Reply Refer To:  
Real Property  
Management

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
Puget Sound Agency  
3006 Colby Avenue, Federal Building  
Everett, WA 98201

March 22, 1990

Pierce County Executive  
Room 585 County-City Building  
Tacoma, WA 98402

Dear Sir:

This Agency has under consideration an application for acquisition of land by the United States to be held in trust for the benefit of The Puyallup Tribe. A plat is attached and the parcel is described as:

All that part of the SE $\frac{1}{4}$  of Section 12 and the NE $\frac{1}{4}$  of Section 13, Township 20 North, Range 3 East of the Willamette Meridian in Pierce County, Washington, more particularly described as follows: Commencing at the southeast corner of said Section 12; thence N. 89 30'05"W. along the south line of said Section to a point that is 25.0 feet distant west, measured at right angles, from the east line of said Section and the True Point of Beginning; thence continuing N. 89 30'05" W. along said south line, a distance of 959.60 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence S. 01 13'03" W., a distance of 442.82 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence S. 84 21'02" W. a distance of 25.20 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence S. 75 23'52" W., a distance of 132.67 feet to a  $\frac{5}{8}$ " iron

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rebar with cap; thence S. 61 27'51" W., a distance of 204.26 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence S. 01 13'03" W., a distance of 351.32 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence N. 59 06'49" W., a distance of 294.83 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence N. 60 57'58" E., a distance of 23.11 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence N. 59 06'49" W., a distance of 387.66 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence N. 01 07'40" E., a distance of 573.88 feet to a point on the south line of said Section 12, said point also designated with a  $\frac{5}{8}$ " iron rebar with cap; thence N. 89 30'50" W. along said south line, a distance of 322.63 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence S. 01 01'56" W., a distance of 435.23 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence N. 62 37'20" W., a distance of 432.93 feet to a point that is 30.0 feet distant east, measured at right angles, from the north/south centerline of said Section 13, said point also being designated by a  $\frac{5}{8}$ " iron rebar with cap; thence N 01 01'56" E. along a line parallel with said north/south centerline, a distance of 239.49 feet to a point on the south line of said Section 12, said point also being designated by a  $\frac{5}{8}$ " iron rebar with cap; thence N. 02 43'28" E. along a line parallel with and 30.0 feet distant east of the north/south centerline of said Section, a distance of 770.08 feet to a  $\frac{5}{8}$ " iron rebar with cap; thence S. 85 41'03" E., a distance of 2563.87 feet to a point that is 25.0 feet distant west of said east line of Section 12, said point also designated by a  $\frac{5}{8}$ " iron rebar with cap; thence S. 01 49'27" W., along a line parallel with said east line, a distance of 598.96 feet to the Point of Beginning, containing 57.0 acres, more or less.

The determination whether to acquire this property in trust will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior. To assist us in the exercise of that discretion, pursuant to regulations published in 45 Fed. Reg. 62034 (September 18, 1980), 25 CFR Part 151, we invite your comments on

the proposed acquisition. In particular, information on the following matters is requested:

1. The annual amount of property taxes currently levied on the property.
2. Any special assessments, and amounts thereof, which are currently assessed against the property.
3. Any governmental services which are currently provided to the property by your jurisdiction.
4. If subject to zoning, how the property is zoned.

Information and comments should be addressed to this agency, to the attention of the undersigned. Any comments received within 30 days of the date of this letter will be considered. A copy of your comments will be made available to the applicant. A determination of whether to acquire the land in trust will be made by the Area Director, P.O. Box 3785, Portland, OR 97208. If you have submitted comments within 30 days of this letter, you will be notified of the Area Director's determination.

Sincerely,

/s/ William A. Black  
WILLIAM A. BLACK  
Superintendent

[SEAL]

In Reply Refer To:  
Realty-Acq. & Disp.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
Colville Indian Agency  
Post Office Box 111  
Nespelem, Washington 99155-0111

May 10, 1991

Okanogan County Commissioners  
Okanogan County Courthouse  
Okanogan, WA 98840

Dear Commissioners:

This agency has under consideration an application for acquisition of land by the United States of America to be held in trust for the benefit of the Vicki L. Harlan. The property is described as follows:

Lot 4, Brooks Tracts of Julie A. Brooks (Allotment No. S-660), Colville Indian Reservation in Section 34, to 34, No., R. 26 E., WMW and Section 31, T. 34 N., R. 27 E., WMW, Okanogan County.

The determination whether to acquire the property in trust will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior. To assist us in the exercise of that discretion, pursuant to regulations published at 45 Fed. Reg. 62034 (September 18, 1980), 25 CFR 151.10(e), we invite your comments on the proposed acquisition. In particular, information on the following matters is requested:

1. The annual amount of property taxes currently levied on the property.
2. Any special assessments, and amounts thereof, which are currently assessed against the property.

3. Any governmental services which are currently provided to the property by your jurisdiction.
4. If subject to zoning, how the property is currently zoned.

Information and comments should be addressed to this agency, to the attention of the undersigned. Any comments received within thirty (30) days of the date of this letter will be considered. A copy of your comments will be made available to the applicant.

A determination of whether to acquire the land in trust will be made by the Area Director, Portland Area Office, Bureau of Indian Affairs, Post Office Box 3785, Portland, Oregon 97208. If you have submitted comments within thirty (30) days of this letter, you will be notified of the Area Director's determination.

/s/ Sharon A. Redthunder  
SHARON A. REDTHUNDER  
Real Property Officer

cc: Okanogan County Planning Dept.  
Okanogan County Treasurer  
Okanogan County Assessors



**25 U.S.C. § 465. Acquisition of lands, water rights or surface rights; appropriation; title to lands; tax exemption**

The Secretary of the Interior is hereby authorized, in his discretion, to acquire, through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments, whether the allottee be living or deceased, for the purpose of providing land for Indians.

For the acquisition of such lands, interests in lands, water rights, and surface rights, and for expenses incident to such acquisition, there is authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, a sum not to exceed \$2,000,000 in any one fiscal year: *Provided*, That no part of such funds shall be used to acquire additional land outside of the exterior boundaries of Navajo Indian Reservation for the Navajo Indians in Arizona, nor in New Mexico, in the event that legislation to define the exterior boundaries of the Navajo Indian Reservation in New Mexico, and for other purposes, or similar legislation, becomes law.

The unexpended balances of any appropriations made pursuant to this section shall remain available until expended.

Title to any lands or rights acquired pursuant to sections 461, 462, 463, 464, 465, 466 to 470, 471 to 473, 474, 475, 476 to 478, and 479 of this title shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation.

(June 18, 1934, c. 576, § 5, 48 Stat. 985.)

**25 C.F.R. § 151.10. Factors to be considered in evaluating requests.**

In evaluating requests for the acquisition of land in trust status, the Secretary shall consider the following factors:

(a) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(b) The need of the individual Indian or the tribe for additional land;

(c) The purposes for which the land will be used;

(d) If the land is to be acquired for an individual Indian, the amount of trust or restricted land already owned by or for that individual and the degree to which he needs assistance in handling his affairs;

(e) If the land to be acquired is in unrestricted fee status, the impact on the State and its political subdivisions resulting from the removal of the land from the tax rolls;

(f) Jurisdictional problems and potential conflicts of land use which may arise; and

(g) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.



## Wash. Rev. Code (1989)

**§ 84.64.050 Certificate to county—Foreclosure—Notice—Prohibition on issuance of certificate on certain residential property.** After the expiration of three years from the date of delinquency, when any property remains on the tax rolls for which no certificate of delinquency has been issued, the county treasurer shall proceed to issue certificates of delinquency on said property to the county for all years' taxes, interest, and costs: *Provided*, That the county treasurer, with the consent of the county legislative authority, may elect to issue a certificate for fewer than all years' taxes, interest, and costs to a minimum of the taxes, interest, and costs for the earliest year.

The county treasurer may include in the certificate of delinquency any assessments which are due on the property and are the responsibility of the county treasurer to collect. For purposes of this chapter, "taxes, interest, and costs" include any assessments which are so included by the county treasurer.

The change to a three-year grace period shall first be effective on May 1, 1983. Prior to that date, the county treasurer shall send a notice to all taxpayers with taxes delinquent for two years or more, notifying them of the change in the grace period. The treasurer shall file said certificates when completed with the clerk of the court, and the treasurer shall thereupon, with such legal assistance as the county legislative authority shall provide in counties having a population of thirty thousand or more, and with the assistance of the county prosecuting attorney in counties having a population of less than thirty thousand, proceed to foreclose in the name of the county, the tax liens embraced in such certificates, and the same proceedings shall be had as when held by an individual: *Provided*, That notice and summons must be served or notice given in a manner reasonably calculated to inform the owner or owners, and any person having a recorded

interest in or lien of record upon the property, of the foreclosure action. Either (1) personal service upon the owner or owners and any person having a recorded interest in or lien of record upon the property, or (2) or publication once in a newspaper of general circulation, which is circulated in the area of the property and mailing of notice by certified mail to the owner or owners and any person having a recorded interest in or lien of record upon the property, or, if a mailing address is unavailable, personal service upon the occupant of the property, if any, is sufficient. In addition to the legal description on the tax rolls, the notice must include the local street address, if any. It shall be the duty of the county treasurer to mail a copy of the published summons, within fifteen days after the first publication thereof, to the treasurer of each city or town within which any property involved in a tax foreclosure is situated, but the treasurer's failure to do so shall not affect the jurisdiction of the court nor the priority of any tax sought to be foreclosed. Said certificates of delinquency issued to the county may be issued in one general certificate in book form including all property, and the proceedings to foreclose the liens against said property may be brought in one action and all persons interested in any of the property involved in said proceedings may be made codefendants in said action, and if unknown may be therein named as unknown owners, and the publication of such notice shall be sufficient service thereof on all persons interested in the property described therein, except as provided above. The person or persons whose name or names appear on the treasurer's rolls as the owner or owners of said property shall be considered and treated as the owner or owners of said property for the purpose of this section, and if upon said treasurer's rolls it appears that the owner or owners of said property are unknown, then said property shall be proceeded against, as belonging to an unknown owner or owners, as the case may be, and all persons owning or claiming to own, or having or claiming

to have an interest therein, are hereby required to take notice of said proceedings and of any and all steps thereunder: *Provided*, That prior to the sale of the property, if such property is shown on the tax rolls under unknown owners or as having an assessed value of three thousand dollars or more, the treasurer shall order or conduct a title search of the property to be sold to determine the legal description of the property to be sold and the record title holder, and if the record title holder or holders differ from the person or persons whose name or names appear on the treasurer's rolls as the owner or owners, the record title holder or holders shall be considered and treated as the owner or owners of said property for the purpose of this section, and shall be entitled to the notice provided for in this section.

The county treasurer shall not issue certificates of delinquency upon property which is eligible for deferral of taxes under chapter 84.38 RCW but shall require the owner of the property to file a declaration to defer taxes under chapter 84.38 RCW. [1989 c 378 § 37; 1986 c 278 § 64. Prior: 1984 c 220 § 19; 1984 c 179 § 2; 1981 c 322 § 4; 1972 ex.s. c 84 § 2; 1961 c 15 § 84.64.050; prior: 1937 c 17 § 1; 1925 ex.s. c 130 117; RRS § 11278; prior: 1917 c 113 § 1; 1901 c 78 § 3; 1899 c 141 § 15; 1897 c 71 § 98.]

